



John L. Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

MAYOR ROY ZARTARIAN

MINUTES

NEWINGTON TOWN COUNCIL SPECIAL MEETING

DEMING-YOUNG FARM, 282 CHURCH STREET

December 12, 2015

Mayor Zartarian called the meeting to order at 1:00 p.m. at the Deming-Young Farm, 282 Church Street.

I. ROLL CALL

Councilor Anest – exited meeting at 1:48 p.m.
Councilor Budrejko
Councilor DelBuono
Councilor Klett
Councilor Manke
Councilor Marocchini - absent
Councilor Nagel
Councilor Serra
Mayor Zartarian

Staff Attendees:

John Salomone, Town Manager
Chris Greenlaw, Town Engineer
Jaime Trevethan, Assistant to the Town Manager – Administration

II. PUBLIC PARTICIPATION – ON AGENDA

Ed Young, 485 Church Street: Mr. Young indicated that he has before and after photographs of the staging area at Deming-Young farm used for the MDC project. He expressed concern about the soil below the surface, contaminants and grade issues of the staging area. He stated that he farmed the field in question for 50 years and is familiar with how it should be and also indicated that he has seen soil samples and has had samples taken.

Robert Young, 20 Coppermill Road, Wethersfield: Mr. Young indicated that he is a complainant regarding use of the property as a staging site for the MDC project and is upset about the lack of records and public notices regarding the project. He stated that he has requested documents from the State that authorize the Town to use the site and noted that no such documents exist. He also noted a lack of bond documents and stated that only one certificate of insurance exists. Mr. Young noted that the project did not go to the Town Plan and Zoning Commission (TPZ) for approval and stated that there are no documents related to environmental reviews or inspections. He also stated that the item did not appear on a Town Council agenda or in any minutes regarding project approval.

Frank Aieta, 595 Church Street: Mr. Aieta indicated that he is the TPZ Chair. He stated that the item never appeared on a TPZ agenda because there was no 8-24 referral from the Town Council to the TPZ.

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Rose Lyons, 46 Elton Drive: Ms. Lyons stated that while she appreciated the Youngs' concerns she wondered why they were not brought forward when the MDC made its presentation to the Council.

Mike Lenares, 76 Stonehedge Drive: Mr. Lenares indicated that he lives in the area and travels Church Street several times per day. He stated that he owns a landscape business and remarked that this was an excellent project. He noted that the staging area was restored, regraded and reseeded and indicated that the grass didn't grow due to a lack of rain. Mr. Lenares stated that this is not the contractor's fault - with the lack of rain the Town should have watered the area in order for the grass to grow. He stated that the contractor should be thanked for doing an excellent job.

III. CONSIDERATION OF OLD BUSINESS

A. Tour of MDC Staging Area of Deming-Young Farm Property

Town Engineer Chris Greenlaw and VMS Construction owner Victor Serrambana gave an overview of the project and the use of the staging area. Also in attendance were MDC representatives Toby Krantz and Chris Stone and a representative from REMA (soil expert). Mr. Serrambana indicated that the project took place from spring 2013 through fall 2014. He explained the process of excavating and stockpiling the 6 – 8" of topsoil. He indicated that the soil was returned to the site, graded, raked, seeded and watered.

The Town Council members, staff and others present at the meeting walked the staging area for approximately 15 minutes prior to resuming the discussion.

Councilor Manke inquired whether the rocks found in the soil were added when the soil was returned to the site. Mr. Serrambana replied that the rocks may have been mixed in during the handling of the materials. He stated that the topsoil was screened and that the rocks found are native to the area. Councilor DelBuono inquired about the screening of the topsoil. Mr. Serrambana replied that it was screened as much as possible. He reiterated that the soil returned to the site is the same soil that existed on the site prior to the project.

Town Manager Salomone refuted the Youngs' complaints regarding FOI requests and stated that all three hearings at the FOI Commission came out in the Town's favor. He indicated that not having records in existence is different than having, but not producing, the documents.

Councilor DelBuono inquired about whether the project should have gone to the TPZ for an 8-24 report. Town Manager Salomone replied that Town-owned projects such as roadwork, curbs, sewers, etc., do not require TPZ 8-24 approval. He stated that the staging area is a part of the roadwork done on Church Street. Councilor Anest stated concern that the project wasn't referred to the TPZ and remarked that the staging area was an improvement to the property rather than just a part of the roadwork project. She noted the hookups to the Deming House located on the property. Town Manager Salomone replied that the organization that leases the house is responsible for completing the hookups to the building and has obtained permits to do so. Councilor Klett recommended that the Council discuss which projects should be sent to the TPZ for approval and indicated that past Councils may have referred more items than recent Councils. Councilor Anest recommended that the TPZ be invited to a future meeting for that discussion.

IV. PUBLIC PARTICIPATION – ON AGENDA

Frank Aieta, 595 Church Street: Mr. Aieta stated that he is familiar with the 8-24 process and remarked that the project should have gone through the process as he does not consider the staging area to be just incidental to the roadwork project.

Hal Whitney, 31 Old Hatchery Lane: Mr. Whitney indicated that he lives on the same ridge in the area and was surprised at the number of rocks in his soil while recently tilling a flower garden in his yard. He stated that the rocky soil is the nature of the ridge and the larger concern should be the quality of the topsoil.

(Councilor Anest exited the meeting.)

Mr. Alexander (first name, address not audible): Mr. Alexander remarked that perhaps the documents in question didn't seem important at the time, but are important now. He recommended a review of the lack of documentation for the future – what was done and what should have been done in order to avoid future issues.

Ed Young, 485 Church Street: Mr. Young remarked that the FOI Commission did nothing regarding his complaints and that FOI refused to hear his concerns. He indicated that he was told by FOI that some emails not received were not in violation because they occurred after his request date. In reference to Ms. Lyons' earlier remarks he indicated that she was not at all of the meetings. Mr. Young indicated that he has Google maps of the topsoil and indicated that he followed a VMS truck with the removed soil to the VMS facility. He stated that he requested that the Town Manager's Office contact the police regarding the possible theft of the soil but indicated that the office did not do so.

Robert Young, 20 Coppermill Road, Wethersfield: Mr. Young reiterated Ed Young's comments regarding FOI and remarked that the Town staff does not keep proper records.

Rose Lyons, 46 Elton Drive: Ms. Lyons clarified that she was referring to the Council meeting in which the MDC discussed the project with the Council and stated that Robert Young was not in attendance at that particular meeting.

Victor Serrambana, President – VMS Construction: Mr. Serrambana indicated that his company has been in business for 33 years and have handled many tough projects with integrity. He stated that he is having a difficult time being slandered and stated that the Youngs' accusations are not true. He stated that his company will re-rake the staging area if necessary and remarked that the project benefited the Town.

Domenic Pane, 638 Church Street: Mr. Pane stated that the project should have gone before the TPZ for an 8-24 report; the Town is not exempt.

V. REMARKS BY COUNCILORS

Deputy Mayor Klett indicated that the Council is not presuming any wrongdoing with this issue, they just want to look into it.

Councilor DelBuono stated appreciation for the interest shown in this issue. She noted that there have been questions and as a result there will be soil samples taken and analyzed. She stated that the samples will be taken 3-4 feet below the surface; if the samples taken indicate a problem then the Council and Town will need to determine how to fix it.

Mayor Zartarian stated that the soil experts have been engaged in order to settle the matter.

VI. ADJOURNMENT

Councilor Klett moved to adjourn the meeting at 2:04 p.m. Motion seconded by Councilor DelBuono. Motion passed 7-0 (Councilors Anest and Marocchini absent).

Respectfully Submitted,

Jaime Trevethan
Assistant to the Town Manager – Administration